

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2006-0914-DCL-E

TCEQ ID: RN104987664 ENF NO.: 30111

RESPONDENT NAME: QASWA ENTERPRISE, LLC DBA DYNASTY CLEANERS

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input checked="" type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input checked="" type="checkbox"/> DRY CLEANER REGISTRATION
SITE WHERE VIOLATION(S) OCCURRED: 2733 West Park Row, Arlington, Tarrant County		
TYPE OF OPERATION: Dry Cleaning drop station		
SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.		
INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.		
COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on June 11, 2007. No comments were received.		
CONTACTS AND MAILING LIST:		
TCEQ Attorney: Ms. Mary Hammer, Litigation Division, MC 175, (512) 239-2496 Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873		
TCEQ Enforcement Coordinator: Ms. Alison Echlin, Enforcement Division, MC 128, (512) 239-3308		
TCEQ Regional Contact: Mr. Sam Barrett, Dallas Regional Office, MC R-4, (817) 588-5903		
Respondent: Mr. Hashmi Humayun, Manager, Qaswa Enterprise, LLC, 2500 Guerrero Drive, #1917, Carrollton, TX 75006		
Respondent's Attorney: Not represented by counsel on this enforcement matter.		

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007 SEP 27 AM 11:06
CHIEF CLERKS OFFICE

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: May 24, 2006</p> <p>Date of NOV/NOE Relating to this Case: June 30, 2006 (NOE)</p> <p>Background Facts: An EDPRP was filed on October 31, 2006. The Respondent received notice of the EDPRP, as evidenced by the signature on the "green card," on November 6, 2006. The Respondent has not filed an answer or requested a hearing.</p> <p>The Respondent in this case does not owe any other penalties according to the Administrative Penalty Database Report.</p> <p>DCL:</p> <p>Failed to complete and submit the required registration form to the TCEQ [30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102].</p>	<p>Total Assessed: \$1,185</p> <p>Total Deferred: \$0</p> <p><input type="checkbox"/> Expedited Settlement</p> <p><input type="checkbox"/> Financial Inability to Pay</p> <p>Total Due to General Revenue: \$1,185</p> <p>This is a Default Order. The Respondent has not actually paid any of the assessed penalty but will be required to do so under the terms of this proposed Order.</p> <p>Site Compliance History Classification: N/A</p> <p>Person Compliance History Classification: N/A</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Action(s) Taken:</p> <p>The Executive Director recognizes that Respondent submitted a current registration on May 7, 2006.</p>



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES		Assigned	05-Jul-2006	Screening	06-Jul-2006	EPA Due	
		PCW	06-Jul-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	Qaswa Enterprise LLC dba Dynasty Cleaners
Reg. Ent. Ref. No.	RN104987664
Facility/Site Region	4-Dallas/Fort Worth <
Major/Minor Source	Minor Source <

CASE INFORMATION	
Enf./Case ID No.	30111
Docket No.	2006-0914-DCL-E
Media Program(s)	Drycleaner <
Multi-Media	
Admin. Penalty \$ Limit Minimum	\$0
Maximum	\$50
No. of Violations	1
Order Type	1660 <
Enf. Coordinator	Alison Echlin
EC's Team	Enforcement Team 8 <

Penalty Calculation Section	
TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1 \$1,185
ADJUSTMENTS (+/-) TO SUBTOTAL 1	
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
Compliance History	0% Enhancement Subtotals 2, 3, & 7 \$0
Notes	The Respondent has no prior Orders or NOV's for this site in the past five years.
Culpability	No < 0% Enhancement Subtotal 4 \$0
Notes	The respondent does not meet the culpability criteria.
Good Faith Effort to Comply	0% Reduction Subtotal 5 \$0
Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary	
Ordinary	
N/A	X (mark with a small x)
Notes	There is no good faith reduction in a default situation.
Economic Benefit	0% Enhancement* Subtotal 6 \$0
Total EB Amounts	\$8
Approx. Cost of Compliance	\$250
*Capped at the Total EB \$ Amount	
SUM OF SUBTOTALS 1-7	Final Subtotal \$1,185
OTHER FACTORS AS JUSTICE MAY REQUIRE	Adjustment \$0
Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)	
Notes	
Final Penalty Amount \$1,185	
STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty \$1,185
DEFERRAL	0% Reduction Adjustment \$0
Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)	
Notes	No deferral is offered for non-expedited cases.
PAYABLE PENALTY	\$1,185

Screening Date	06-Jul-2006	Docket No.	2006-0914-DCL-E	PCW
Respondent	Qaswa Enterprise LLC dba Dynasty Cleaners			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	30111			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN104987664			
Media [Statute]	Drycleaner			
Enf. Coordinator	Alison Echlin			

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The Respondent has no prior Orders or NOVs for this site in the past five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date	06-Jul-2006	Docket No. 2006-0914-DCL-E	PCW
Respondent	Qaswa Enterprise LLC dba Dynasty Cleaners		<i>Policy Revision 2 (September 2002)</i>
Case ID No.	30111		<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN104987664		
Media [Statute]	Drycleaner		
Enf. Coordinator	Alison Echlin		
Violation Number	<input type="text" value="1"/>		
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 337.10(a)"/>		
Secondary Rule Cite(s)	<input type="text" value="Tex. Health & Safety Code § 374.102"/>		
Violation Description	<input type="text" value="The respondent failed to complete and submit the required registration form to the TCEQ for a dry cleaning and/or drop station facility."/>		

Base Penalty

>> Environmental, Property and Human Health Matrix

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

		Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input checked="" type="text" value="x"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>
Matrix Notes	<input type="text" value="100% of the rule requirement was not met."/>					

Adjustment Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	daily	<input checked="" type="text" value="x"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	<input type="text"/>

Violation Base Penalty

Two hundred thirty-seven daily events are recommended from the September 1, 2005 deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount Violation Final Penalty Total This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Qaswa Enterprise LLC dba Dynasty Cleaners

Case ID No. 30111

Reg. Ent. Reference No. RN104987664

Media [Statute] Drycleaner

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	07-May-2006	0.7	\$8	n/a	\$8
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent came into compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$250

TOTAL \$8

Compliance History

Customer/Respondent/Owner-Operator: CN602859001 QASWA ENTERPRISE LLC Classification: Rating:
Regulated Entity: RN104987664 DYNASTY CLEANERS Classification: Site Rating:
ID Number(s):
Location: 2733 W PARK ROW, ARLINGTON, TX, 76013
TCEQ Region: REGION 04 - DFW METROPLEX
Date Compliance History Prepared: July 06, 2006
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: July 06, 2001 to July 06, 2006

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Alison Echlin Phone: 512-239-3308

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

- B. Any criminal convictions of the state of Texas and the federal government.

N/A

- C. Chronic excessive emissions events.

N/A

- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1 06/30/2006 (484892)

- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

N/A

- F. Environmental audits.

N/A

- G. Type of environmental management systems (EMSs).

N/A

- H. Voluntary on-site compliance assessment dates.

N/A

- I. Participation in a voluntary pollution reduction program.

N/A

- J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
QASWA ENTERPRISE, LLC DBA
DYNASTY CLEANERS,
RN104987664

§
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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

DEFAULT ORDER DOCKET NO. 2006-0914-DCL-E

At its _____ agenda, the Texas Commission on Environmental Quality, ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition filed pursuant to TEX. WATER CODE ch. 7, TEX. HEALTH & SAFETY CODE ch. 374 and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is Qaswa Enterprise, LLC dba Dynasty Cleaners ("Qaswa").

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Qaswa owned, in accordance with TEX. HEALTH & SAFETY CODE § 374.001(12), and operated a dry cleaner drop station at 2733 West Park Row in Arlington, Tarrant County, Texas (the "Facility").
2. The Facility is a retail commercial establishment the primary business of which is to act as a collection point for the drop-off and pick-up of garments or other fabrics that are sent to a dry cleaning facility for processing. As such, the Facility is a dry cleaning drop station as defined in TEX. HEALTH & SAFETY CODE § 374.001(6).
3. During an inspection conducted on May 24, 2006, a TCEQ Dallas/Ft. Worth Regional Office investigator documented that Qaswa failed to complete and submit the required registration form to the TCEQ for the Facility.
4. Qaswa received notice of the violations on or about July 5, 2006.

CIVIL COMPLAINT

JUL 11 2006 11:01

OFFICE OF THE
ATTORNEY GENERAL
CIVIL DIVISION

5. The Executive Director recognizes that Qaswa submitted a current registration form to the TCEQ for the Facility on May 7, 2006 in response to this enforcement action.
6. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against Qaswa Enterprise, LLC dba Dynasty Cleaners" (the "EDPRP") in the TCEQ Chief Clerk's office on October 31, 2006.
7. By letter dated October 31, 2006, sent via certified mail, return receipt requested, and via first class mail, postage prepaid, the Executive Director served Qaswa with notice of the EDPRP. According to the return receipt "green card", Qaswa received notice of the EDPRP on November 6, 2006, as evidenced by the signature on the card.
8. More than 20 days have elapsed since Qaswa received notice of the EDPRP, provided by the Executive Director. Qaswa failed to file an answer to the EDPRP, failed to request a hearing, and failed to schedule a settlement conference.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, Qaswa is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002 and TEX. HEALTH & SAFETY CODE ch. 374, because the violations alleged herein are within the Commission's general jurisdiction, pursuant to TEX. WATER CODE § 5.013, as they involve violations of TEX. HEALTH & SAFETY CODE ch. 374 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3, Qaswa failed to complete and submit the required registration form to the TCEQ for the Facility, in violation of 30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102.
3. As evidenced by Finding of Fact Nos. 6 and 7, the Executive Director has timely served Qaswa with proper notice of the EDPRP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(a).
4. As evidenced by Finding of Fact No. 8, Qaswa has failed to file a timely answer to the EDPRP, as required by TEX. WATER CODE § 7.056 and 30 TEX. ADMIN. CODE § 70.105. Pursuant to TEX. WATER CODE § 7.057 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Qaswa and assess the penalty recommended by the Executive Director.

5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Qaswa for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of one thousand one hundred eighty-five dollars (\$1,185.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE §§ 7.0525 and 7.053.
7. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Qaswa is assessed an administrative penalty in the amount of one thousand one hundred eighty-five dollars (\$1,185.00) for violations of TEX. HEALTH & SAFETY CODE ch. 374 and rules of the TCEQ. The payment of this administrative penalty and Qaswa's compliance with all the terms and conditions set forth in this Order completely resolve the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations which are not raised here. All checks submitted to pay the penalty imposed by this Order shall be made out to the "Texas Commission on Environmental Quality". The administrative penalty assessed by this Order shall be paid within 30 days after the effective date of this Order and shall be sent with the notation "Re: Qaswa Enterprise, LLC dba Dynasty Cleaners; Docket No. 2006-0914-DCL-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. All relief not expressly granted in this Order is denied.
3. The provisions of this Order shall apply to and be binding upon Qaswa. Qaswa is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

4. If Qaswa fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Qaswa's failure to comply is not a violation of this Order. Qaswa shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Qaswa shall notify the Executive Director within seven days after Qaswa becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Qaswa shall be made in writing to the Executive Director. Extensions are not effective until Qaswa receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Qaswa if the Executive Director determines that Qaswa has not complied with one or more of the terms or conditions in this Order.
7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
8. The Chief Clerk shall provide a copy of this Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

Qaswa Enterprise, LLC dba Dynasty Cleaners
Docket No. 2006-0914-DCL-E
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

AFFIDAVIT OF MARY HAMMER

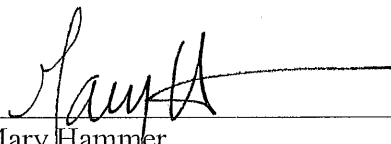
STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

"My name is Mary Hammer. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, I filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against Qaswa Enterprise, LLC dba Dynasty Cleaners" (the "EDPRP") with the Office of the Chief Clerk on October 31, 2006.

I sent the EDPRP to Qaswa at its last known address on October 31, 2006 via certified mail, return receipt requested, and via first class mail, postage prepaid. According to the return receipt "green card", Qaswa received notice of the EDPRP on November 6, 2006, as evidenced by the signature on the card.

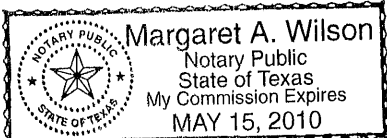
More than 20 days have elapsed since Qaswa received notice of the EDPRP. Qaswa failed to file an answer to the EDPRP, failed to request a hearing, and failed to schedule a settlement conference".




Mary Hammer
Attorney
Texas Commission on Environmental Quality

Before me, the undersigned authority, on this day personally appeared Mary Hammer, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 14th day of FEBRUARY A.D., 2007.


Notary Stamp



Notary Signature